



***Substitute Senate Bill No. 332***

***Special Act No. 14-21***

***AN ACT AMENDING THE CHARTER OF THE METROPOLITAN DISTRICT IN HARTFORD COUNTY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Number 358 of the special acts of 1931, as amended by special act 77-62, is amended to read as follows (*Effective January 1, 2015*):

The Metropolitan District is authorized to supply water [, at rates uniform with those charged within said district,] to any town or city that is not a member town or city of the district, any part of which is situated not more than twenty miles from the state capitol at Hartford, or to the inhabitants thereof, or to any state facility located within such area, upon such terms as may be agreed upon, but all other sources belonging to any such town or city shall be developed by such consumer or made available for development by said district. Except as otherwise agreed between the district and a customer, the district shall supply water at water use rates and with customer service charges uniform with those charged within said district. Any nonmember town surcharge imposed on any such customer or inhabitant shall not exceed the amount of the customer service charge. The cost of constructing the pipe connection between the district and such town or city and the cost for capital improvements within such

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town or city shall be paid by such town or city or by the customers inhabiting such town or city. The cost of constructing the pipe connection between the district and any such state facility shall be paid by the state of Connecticut. Nothing herein shall authorize The Metropolitan District to supply any water in competition with any water system in any town or city, except by agreement.

Sec. 2. (*Effective from passage*) The Metropolitan District shall not assess the special sewer service charge established pursuant to district ordinance S12x, any costs associated with the Clean Water Project, or any other costs associated with the sewer infrastructure of the district against nonmember customers to whom the district is supplying water pursuant to number 358 of the special acts of 1931, as amended by special act 77-62 and section 1 of this act.

Sec. 3. Section 8 of number 511 of the special acts of 1929, as amended by section 3 of special act 83-31 and section 1 of special act 99-12, is amended to read as follows (*Effective October 1, 2014*):

Said board, either directly or under committees consisting of one or more members of said board, shall organize bureaus for the convenient carrying into effect of the several functions herein committed to said board and may define the powers and duties of such bureaus and delegate to them such powers and duties by ordinance, by-law or otherwise as may, in the judgment of the board, be necessary for the convenient operation of the same. No member of the board shall receive any pay for his services as such member or as a member of a sub-committee of the board except that a reasonable sum may annually be appropriated for the actual expenses of said board. The board may, by ordinance, by-law or otherwise, fix the salaries and define the duties of all officers and employees or may delegate the fixing of salaries of employees and assignment of duties of employees to sub-committees or bureau managers. The chairman and vice-chairman of said district and of all sub-committees, bureaus, boards

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and commissions appointed by the district board shall, unless otherwise provided in the appointment or herein, hold office until the end of the fiscal year of their appointment and thereafter shall be appointed for terms of two years and until their successors shall be appointed and shall have qualified. The members of all sub-committees, bureaus, boards and commissions appointed by the district board shall, unless otherwise provided in the appointment or herein, hold such membership until the end of the fiscal year of their appointment and thereafter shall hold membership for terms of two years and until their successors shall be appointed and shall have qualified. The managers of the water bureau and of the bureau of public works and such others of the officers as by the district board shall be especially so designated shall hold office during good behavior and shall be removed only for cause. All other officers and employees may be removed at any time by the district board at pleasure. All vacancies may be filled by the district board. Said district board shall have power to fill any vacancy occurring in its number for the unexpired portion of the term and, except as otherwise expressly provided, shall act in all cases by a majority of those present at any regular or special meeting, duly warned. A majority of the board shall constitute a quorum and the time, place and manner of calling meetings and the holding thereof, including the manner of dissolving tie votes, shall be prescribed by said board by by-law or otherwise. The district board shall be the final judge of the election returns and validity of elections and qualifications of its members and shall decide all tie votes in elections. Except as hereinafter provided, the district board shall have power to authorize the sale, transfer and conveyance of real and personal estate belonging to the district, and shall provide by by-law or otherwise for the form and manner of execution of the documents and instruments convenient therefor. The district board shall make provision for the proper auditing of the district accounts and may cause any officer to execute bonds to the district with surety to the acceptance of the district board for the faithful performance of

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duties. The district board shall post the current budget of the district in a conspicuous location on the district's Internet web site.

Sec. 4. Section 2 of special act 75-73, as amended by section 2 of special act 83-18, section 2 of special act 84-75 and section 17 of public act 93-380, is amended to read as follows (*Effective October 1, 2014*):

(a) The members of the board of commissioners appointed prior to and holding office on the effective date of special act 75-73, special act 83-18, special act 84-75, [or this act] public act 93-380 or this act shall continue to serve until the expiration of their terms for which they were appointed. Thereafter, members shall be appointed by the legislative body of each member municipality, to replace the members whose terms expire and until their successors are appointed and qualify, provided, in no event shall the total number of members appointed by the legislative body of any member municipality exceed: (1) Six in the city of Hartford, (2) three in the city of East Hartford, (3) one in the town of Rocky Hill, (4) one in the town of Wethersfield, (5) one in the town of Newington, (6) one in the town of Windsor, (7) one in the town of Bloomfield and (8) three in the town of West Hartford.

(b) Appointments to the district board by the legislative bodies of the member municipalities shall be made in accordance with the following schedule:

(1) The legislative body of the city of Hartford shall appoint (A) three commissioners for a term of two years to commence January 1, 1977, and (B) three commissioners for a term of six years to commence January 1, 1981;

(2) The legislative body of the city of East Hartford shall appoint (A) two commissioners for a term of four years to commence January 1, 1977, and (B) one commissioner for a term of six years to commence January 1, 1979;

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(3) The legislative body of the town of Wethersfield shall appoint one commissioner for a term of six years to commence January 1, 1979;

(4) The legislative body of the town of Newington shall appoint one commissioner for a term of six years to commence January 1, 1981;

(5) The legislative body of the town of Windsor shall appoint one commissioner for a term of six years to commence January 1, 1981;

(6) The legislative body of the town of Bloomfield shall appoint one commissioner for a term of two years to commence January 1, 1987;

(7) The legislative body of the town of Rocky Hill shall appoint one commissioner for a term of six years to commence January 1, 1977;

(8) The legislative body of the town of West Hartford shall appoint (A) one commissioner for a term of one year to commence January 1, 1984, (B) one commissioner for a term of three years to commence January 1, 1984, and (C) one commissioner for a term of five years to commence January 1, 1984.

(c) Upon the expiration of the initial terms of appointment under this section, members shall be appointed for terms of six years from January first in the year of their appointment and shall serve until their successors are appointed and qualify.

(d) On and after January 1, 1989, the eight members appointed by the governor to the district board shall be electors from The Metropolitan District, not more than three of whom shall be from any one municipality within said district nor shall such appointees represent more than fifty per cent of any municipality's representation on the district board. The appointments by the governor shall be for six years and shall be made in accordance with the following schedule:

(1) Three commissioners from the city of Hartford for a term to

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commence January 1, 1989;

(2) One commissioner from the city of East Hartford for a term to commence January 1, 1989;

(3) One commissioner from the town of Wethersfield for a term to commence January 1, 1989;

(4) One commissioner from the town of Newington for a term to commence January 1, 1991;

(5) One commissioner from the town of Windsor for a term to commence January 1, 1989;

(6) One commissioner from the town of West Hartford for a term to commence January 1, 1989.

(e) The four commissioners appointed by the designated members of the General Assembly shall be appointed as follows: (1) One commissioner by the president pro tempore of the Senate, for a term of five and one-half years commencing July 1, 1993; (2) one commissioner by the speaker of the House of Representatives, for a term of four and one-half years commencing July 1, 1993; (3) one commissioner by the minority leader of the Senate, for a term of three and one-half years, commencing July 1, 1993, and (4) one commissioner by the minority leader of the House of Representatives, for a term of two and one-half years, commencing July 1, 1993. After such initial appointment the terms of all such commissioners shall thereafter be six years. Such commissioners shall be electors from The Metropolitan District, provided no two commissioners shall be residents of the same municipality.

(f) On and after October 1, 2014, the legislative bodies of nonmember municipalities shall appoint four members to the board of commissioners, provided in no event shall the total number of

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members appointed by the legislative body of any nonmember municipality exceed: (1) One from the town of Glastonbury; (2) one from the town of South Windsor; (3) one from the town of East Granby; and (4) one from the town of Farmington. Such commissioners shall be ex-officio, nonvoting members of the board of commissioners. Commissioners appointed pursuant to this subsection shall be appointed for terms of six years from January first in the year of their appointment and shall serve until their successors are appointed and qualify.

Sec. 5. Subsection (b) of section 1 of special act 75-73, as amended by section 1 of special act 83-18, section 1 of special act 84-75, section 16 of public act 93-380 and section 4 of special act 99-12, is amended to read as follows (*Effective October 1, 2014*):

(b) On and after [July 1, 1993] October 1, 2014, said district board shall be composed of [twenty-nine] a total of thirty-three electors of said district and nonmember municipalities, seventeen to be appointed by the member municipalities, from among their respective electors; [, eight] twelve to be appointed, from among their respective electors, as follows: Eight to be appointed by the Governor, one to be appointed by the speaker of the House of Representatives, one to be appointed by the minority leader of the House of Representatives, one to be appointed by the president pro tempore of the Senate, and one to be appointed by the minority leader of the Senate; [,] and four to be appointed by the nonmember municipalities, from among their respective electors, all such appointments being subject to the provisions of section 2 of special act 75-73, as amended by section 2 of special act 83-18, section 2 of special act 84-75, [and] section 17 of public act 93-380 and section 4 of this act. The provisions of section 9-167a of the general statutes shall apply only to appointments made under this section by municipalities having three or more members and only with respect to members appointed by any such

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municipality. For the commissioners appointed by the member municipalities and the Governor, membership of the district board shall be apportioned among the member municipalities as follows: Nine commissioners from the city of Hartford, four commissioners from the city of East Hartford, one commissioner from the town of Rocky Hill, two commissioners from the town of Wethersfield, two commissioners from the town of Newington, one commissioner from the town of Bloomfield, two commissioners from the town of Windsor and four commissioners from the town of West Hartford.

Sec. 6. (*Effective January 1, 2015*) The Metropolitan District Commission shall annually prepare a report that includes the following: (1) A list of all bond issues for the preceding fiscal year, including, for each such issue, the financial advisor and underwriters, whether the issue was competitive, negotiated or privately placed, and the issue's face value and net proceeds; (2) a list of all projects receiving financial assistance during the preceding fiscal year, including each project's purpose, location, and the amount of funds provided by the district; (3) the cumulative value of all bonds issued, the value of outstanding bonds and capital projects associated with such bonds; (4) as of February 15th of each fiscal year, an accounting showing all water revenue and expenditures by source, category and type; and (5) the affirmative action policy statement, a description of the composition of the district's work force by race, sex, and occupation and a description of the district's affirmative action efforts. The district shall, not later than January first, submit one copy of such report to the Governor, to the Auditors of Public Accounts and to the Office of Fiscal Analysis and two copies of such report to the Legislative Program Review and Investigations Committee. Not later than thirty days after receiving copies of such report from the district, the Legislative Program Review and Investigations Committee shall prepare an assessment of whether the report complies with the requirements of this section and shall submit the assessment and a copy of the report to the joint standing



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committee of the General Assembly having cognizance of matters relating to municipalities.

Sec. 7. (*Effective January 1, 2015*) For the fiscal year commencing January 1, 2015, and for each fiscal year thereafter, the Metropolitan District Commission shall submit a personnel status report to the Office of Fiscal Analysis. Such report shall include: (1) The total number of employees at the end of each quarter; (2) the positions vacated and the positions filled during each quarter; and (3) the positions estimated to be vacant and the positions estimated to be filled at the end of the fiscal year.

Sec. 8. (*Effective January 1, 2015*) The Metropolitan District Commission shall, annually, submit a copy of the audit prepared pursuant to chapter 111 of the general statutes to the Office of Fiscal Analysis.

Sec. 9. Subsection (a) of section 4 of special act 90-27, as amended by section 6 of public act 93-380, is amended to read as follows (*Effective from passage*):

(a) The Metropolitan District in Hartford County created pursuant to number 511 of the special acts of 1929, as amended, may issue bonds or other obligations, or may enter into leases of real or personal property or any interest therein, from time to time for the purpose of paying all or any part of the cost of designing, acquiring, purchasing, constructing, reconstructing, improving, extending, financing, refinancing, operating or managing any facility, system, program or equipment necessary or desirable in connection with carrying out any of its authorized purposes, including payment of expenses of administration properly chargeable thereto, including, without limitation, legal, architectural and engineering expenses and fees, and costs of audits, and payment of costs, fees and expenses which the district board may deem necessary or advantageous in connection with

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the authorization, sale and issuance of bonds or notes or other obligations, including but not limited to, underwriters' discount and payment of all other items of expense incurred in connection therewith. The district may issue such types of bonds or other obligations as the district board by resolution approved by a majority of its members may determine, including, without limiting the generality of the foregoing, bonds or other obligations payable as to principal and interest exclusively from the income and revenues of a particular facility, system or program. Bonds or other obligations payable as to principal and interest exclusively from the income and revenues of a particular facility, system or program shall not constitute an indebtedness within the meaning of any statutory limitation on the indebtedness of the district or any member municipality. Notwithstanding the provisions of sections 23, 24, 25, 26 and 51 of number 511 of the special acts of 1929, as amended, any surplus moneys not needed in the determination of the district board to meet the purposes of funds established pursuant to said sections and any surplus revenues in the assessable sewer fund may be pledged as additional security for any such bonds or the provider of any credit enhancement for any such bonds, which also may be secured by a pledge of any income or revenues of the district, or a mortgage on any facility or system or the site thereof. Whenever and for so long as the district has issued and has outstanding bonds pursuant to this section, the district board shall fix, charge and collect rates, rents, fees and other charges in accordance herewith. Neither the members of the district nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of the district, and such bonds and obligations shall so state on their face, shall not be a debt of the state or any political subdivision thereof, and no person other than the district shall be liable thereon, nor shall such bonds or obligations be payable out of any funds or properties other than those of the district. Bonds of the district issued under the provisions of sections 2 and 13 of number 511 of the special

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acts of 1929, as amended, and sections 2 and 4 of special act 90-27, as amended by [this act] public act 93-380, are declared to be issued for an essential public and governmental purpose. In anticipation of the sale of such bonds the district may issue negotiable bond anticipation notes and may renew the same from time to time, but the maximum maturity of any such note including renewals thereof, shall not exceed five years from the date of issue of the original note. Such notes shall be paid from any revenues of the district available therefor and not otherwise pledged, or from the proceeds of sale of the bonds of the district in anticipation of which they were issued. Such notes and the resolution or resolutions authorizing the same may contain any provisions, conditions or limitations which a bond resolution of the district may contain.

Sec. 10. Subsection (b) of section 4 of special act 90-27 is amended to read as follows (*Effective from passage*):

(b) Bonds of the district may be issued as serial bonds or as term bonds, or a combination thereof, as the district board, in its discretion, may determine. Bonds shall be authorized by resolution adopted by a majority of the members of the district board and shall bear such date or dates, mature at such time or times, not exceeding [twenty-five] thirty years from their respective dates, bear interest at such rate or rates, or have provisions for the manner of determining such rate or rates, payable at such time or times, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States of America at such place or places and be subject to such terms of redemption as such resolution or resolutions may provide. The bonds or notes may be sold at public or private sale for such price or prices as the district shall determine. Pending preparation of the definitive bonds, the district may issue interim receipts or certificates which shall be exchanged for such definitive bonds.

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Sec. 11. (*Effective from passage*) The state of Connecticut does hereby pledge to and agree with the holders of any bonds, notes and other obligations issued by the Metropolitan District in Hartford County created pursuant to number 511 of the special acts of 1929, as amended, under the authority of chapter 103 of the general statutes or under section 4 of special act 90-27, as amended by section 6 of public act 93-380 and section 10 of this act, which are payable solely from the income and revenue of a particular facility, system or program or the revenues to be derived from sewerage system use charges, and with those parties who may enter into contracts with the district in respect of the same, that the state will not limit or alter the rights vested in the authority to charge and collect such income, revenues, or sewerage system use charges, or in the holders of any bonds, notes or other obligations of the district until such obligations, together with the interest thereon, are fully met and discharged and such contracts are fully performed on the part of the district, provided nothing contained herein shall preclude such limitation or alteration if and when adequate provision shall be made by law for the protection of the holders of such bonds, notes and other obligations of the district or those entering into contracts with the district. The district is authorized to include this pledge and undertaking for the state in such bonds, notes and other obligations or contracts.

Approved June 13, 2014